

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

LARRY D. THOMAS, )  
                        )  
Plaintiff,           )  
                        )  
v.                     ) CIVIL ACTION NO. 2:05CV437-T  
                        )  
R. JAMES NICHOLSON, )  
                        )  
Defendants.          )

**ORDER ON MOTION**

This case is before the court on the plaintiff's motion for leave to proceed in forma pauperis.

The court wishes the plaintiff to fully understand the limited nature of being allowed to proceed in forma pauperis which only permits the plaintiff to commence this suit without prepayment of fees and court costs. The plaintiff should understand he may incur expenses as a result of the prosecution of this case. In the event of a trial, the plaintiff may compel the attendance of witnesses through subpoena only by tendering to each witness payment of a one-day witness fee of \$40, plus mileage. Also, court costs, which vary, but which can be very substantial, are normally assessed against the losing party. This means that a plaintiff who loses a case, even though proceeding in forma pauperis, may be charged with, and obligated to pay, all court costs.

Now, having advised the plaintiff of the possible expense of litigation, it is ORDERED that the motion for leave to proceed in forma pauperis be and is hereby GRANTED.

Done this 19<sup>th</sup> day of May, 2005.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE